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April 12, 2011

By: ECF Filing & Fax

Honorable Michael A. Shipp
United States District Court
District of New Jersey
Martin Luther King Building
50 Walnut Street, Room 4015
Newark, NJ 07101

*Re: Sperry Associates Federal Credit Union
        v.
        CUMIS Insurance Society, Inc.
        Civil Case No.: 10-00029*

Dear Judge Shipp:

I am writing you today to further clarify the letter I had submitted yesterday afternoon regarding Sperry's request to have the court intervene regarding a continuance of the non-party depositions scheduled by CUMIS.

Late in the day and after my letter had been filed with the court I was contacted by CUMIS's counsel and we discussed a continuance of the depositions. I advised counsel that I understood the difficulties involved in rescheduling the depositions at this time. I acknowledged that as my filing was made at the end of the day it would be unlikely that we would have any direction from the court as to this matter and agreed that our office would prepare an alternate attorney as best we could to attend today's deposition if necessary. CUMIS's counsel advised that they would attempt to contact the witnesses and if possible reschedule the depositions.

While we appreciate CUMIS's counsel cooperation in attempting to reschedule the depositions, we renew our request to have the court intervene and order the remaining depositions continued. As outlined in our prior letter Mr. Rosenberg is the one attorney in our office who has the familiarity with both the CUMIS and Fannie Mae matters that is necessary to conduct these depositions.
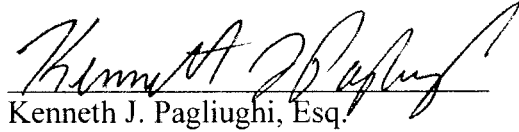
We again respectfully request that the court order the remaining depositions continued.

I thank you for your consideration of this matter.

Respectfully yours,

SCOTT A. ROSENBERG, P.C.
By:

Kenneth J. Pagliughi, Esq.

cc: Arthur Aizley, Esq. (via ECF Notification)
        Valerie Rojas, Esq. (via ECF Notification)